

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No. 705 of 1997

in

SPECIAL CIVIL APPLICATION No. 5588 of 1996

For Approval and Signature:

Hon'ble MR. JUSTICE C.K. THAKKER  
and  
MR. JUSTICE S.D. PANDIT

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

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VAGHODIA GRAM PANCHAYAT

Versus

STATE OF GUJARAT  
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Appearance:

MR AJ PATEL for Petitioner  
MR SM SHELAT, ADDL ADV. GENERAL with  
MR MAULIN RAWAL AGP for Respondent No. 1  
MR DS NANAVATI for Respondent No. 2  
MR PARESH M DAVE for Respondent No. 3  
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CORAM : MR.JUSTICE C.K.THAKKER and  
MR.JUSTICE S.D.PANDIT

Date of decision: 05/09/97

ORAL JUDGEMENT {Per : Thakkar, J.}

This appeal is directed against an interim order passed by the learned Single Judge in Special Civil Application No. 5588 of 1996 on September 18, 1996.

The appellant is original petitioner. It filed a petition for appropriate writ, direction or order directing the authorities to quash and set-aside notification dated 28th June, 1996, published in the Official Gazette on the same day {Annexure "A" to the petition}. When the matter was placed for hearing, the learned Single Judge issued "Rule". It was brought to the notice of learned Single Judge that similar petitions were pending before a Division Bench and a reference was made to Special Civil Application Nos. 9738 and 9631 both of 1993. In these circumstances, the Court passed an order to place Special Civil Application No. 5588 of 1996 alongwith those matters. We are told at the Bar that those petitions have been placed for hearing before a Division Bench. Since the present Letters Patent Appeal is filed against an interim order and it is pending before us, those matters have also not been taken up for hearing.

In the facts and circumstances of the case, in our opinion, learned Single Judge has protected interests of all the parties. We do not see any reason to interfere with the said order particularly when the main matter is not only admitted but has been placed for hearing with similar matters

For the foregoing reasons, we do not see any reason to interfere with the order passed by the learned Single Judge. Letters Patent Appeal stands dismissed without making any observation on merits. Notice discharged. No orders as to costs.

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Prakash\*